

DESERT EVENING NEWS

Organ of the Church of Jesus Christ of Latter-day Saints.

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A JUDICIAL ERROR.

The West Publishing company of St. Paul, Minnesota, issues a leaflet called "Cases of Interest," which usually contains summaries of cases decided by the courts in the different States, as well as the Supreme Court of the United States, that are of general interest and value. We notice in the latest of these the following, which, while a correct statement of the findings of the court mentioned, conveys a wrong impression as to a doctrine of the Church of Jesus Christ of Latter-day Saints. Courts are not always competent judges of religious tenets, particularly when they derive their information from sources that are not authoritative, and there is a grave error in the ruling that we here notice which we have heretofore pointed out in these columns:

The sealing ordinance of the Mormon Church, founded on Revelation on the Eternity of the Marriage Covenant, contained in the Book of Doctrine and Covenants of the Mormon Church (as practiced by the Mormon people), is a marriage ceremony contemplating marriage for time and for eternity, and not for either time or eternity alone. The Supreme Court of Utah, in *Hilton vs. Royance*, 9 Pacific Reporter, 680, holds that the sealing ceremony, whereby the contracting parties agree and are declared by a duly authorized church official to be married for time and eternity, creates a valid and common-law marriage between parties believing and in good faith participating therein, the part relating to eternity being mere surplusage, and this is true though the sealing ceremony was performed at a time when the wife was on her supposed deathbed, and after the husband had been assured that she would die, and the sealing was performed under the belief that they would thereby be husband and wife after death, and in performance of the said deathbed ceremony, whereby the Church of the Mormon Church, whereby parties who have been sealed as husband and wife under the Mormon sealing ordinance agree, under the authority and with the consent of the Church, to dissolve their marital relations, is not a valid divorce, though the parties to it believe it to be valid and thereafter go through a marriage ceremony with other persons.

Kinney's Index-Digest of Utah Reports, Vols 1-25 just out of the press contains the same particulars as the foregoing, though under sundry headings and in different parts of the book. Thus the enunciations of the court on these questions are put in circulation, not only among members of the bar, but through the newspapers among the general public, and it is important that the mistakes therein should be corrected as far as possible.

The sealing ordinance of the Church is not, as stated by the court, always a marriage for time and eternity. Usually it embraces both this life and that which is to come; but it is sometimes performed for time only and not for eternity, at others for eternity only and not for time, and therefore the court took a wrong view of the matter, not being sufficiently acquainted with it. We are not finding fault with its decision on the case before it on appeal. We simply deny the truth of its enunciation concerning the principle that enters into the marriage covenant in the "Mormon" Church, and repeat that there are many instances of sealings that were only for time, and others that were only for eternity. The court might have decided the case before it on its own merits, without going into something with which it was not familiar. But if its judgment in the case was based upon the error promulgated in its attempt at explaining "Mormon" marriage, then the decision was most certainly erroneous.

That a sealing duly performed for time and all eternity creates a valid marriage between the parties for time, needs no argument or judicial ruling. It is entered into and administered under the marriage laws of the State as well as the ordinances of the Church, and is legal wedlock to all intents and purposes. The eternal part of the covenant is in the eyes of the law only surplusage; it is a religious compact pertaining to the world to come.

As to Church divorces: They are not intended or supposed to have any legal effect, but simply to sever the obligations entered into on religious grounds. A legal marriage cannot be dissolved except by legal process. There is no dispute about that among the Latter-day Saints or their opponents. We should not have mentioned that part of the decision brought again into prominence, but for the portion of it which contains a mis-statement of "Mormon" doctrine and practice.

Marriage for time and eternity is a sacred ordinance which we believe is peculiar to the Church of Jesus Christ of Latter-day Saints. That which is sealed on earth by one who holds Divine authority to administer it is sealed in heaven, and the covenant, if adhered to in faithfulness by the parties, will continue and abide and be of force in and after the resurrection from the dead and be a perpetual union, leading to endless increase and everlasting dominion and glory in worlds without end.

There are, however, in the Church ordinances of a temporary nature which are special and for the purpose intended

ed in each particular instance, and as to these the court in the case decided was not in possession of the necessary knowledge. If it had divined deeper it might have made some discoveries that would have saved it from a theological and superficial effort that displays misinformation. It affords one more bit of evidence that even courts are not infallible.

AN APPRECIATIVE READER.

A lady writing to the Desert News from Kentucky, says she has been a subscriber to this paper for two years and testifies:

"After honest comparison of your paper with numerous other religious periodicals, I consider it the fairest and best religious journal in all the country. From it I learn many valuable lessons. I truly hope to never be without it in my home. I thought to give you a hint of the profound esteem of a Kentucky Gentile for a much maligned people and their Church paper."

We copy the foregoing as a common expression from non-"Mormon" readers of the "News" in many parts of the world. The writer asks us to explain II Tim. II, 1-7, and also:

"How are we to know when the Savior means His promises for those to whom He is directing His conversation and when for us and others?"

Answering the last question first, we will say, the context of the scripture containing such instructions will usually give the desired explanation. But to understand fully the writings in the Old or New Testament, it is necessary to have the same Spirit that inspired the writers. The Latter-day Saints have a guide in this matter in addition, namely the revelations of God in the present age. However, in most business special instructions for the persons and times when they were given, can be distinguished in the way we have mentioned, from general principles that apply to all people and all ages.

The quotation from the Epistle to Timothy is a prophetic picture of Latter-day Christendom, painted in strong but natural colors, and with a fidelity to details that is truly remarkable. It is in harmony with other predictions of the Apostles and is being literally fulfilled today. There need be no mistake as to its application, when those professors are found who are "ever learning and never able to come to a KNOWLEDGE of the truth," and who have "a form of godliness but deny the power thereof," claiming that it is "done away" and is "no longer needed." The Apostle's advice "From such turn away," will be found to be wise counsel.

ELECTION OF POPES.

The election of a pope is a most elaborate ecclesiastical affair. There are three modes, which are each considered valid, viz., scrutiny, compromise, and acclamation. Scrutiny is the method generally adopted. It is called compromise when the cardinals agree to entrust the election to a committee consisting of two or three members. Election by acclamation is considered to be by quasi-inspiration.

Ten days after the pope is dead the conclave must be constructed. The large halls of the palace are partitioned off, so as to furnish two or three rooms for each cardinal. The first day of the conclave visitors are admitted, but in evening they are all turned out, and the entrances to the hall are all walled up, except one, which is carefully guarded, night and day. The cardinals are thus isolated from the world. If after three days, there is no election, the food supply of the voters is restricted, and if five days more elapsed without result, the food formerly was restricted to bread, wine, and water, but this rule is now modified.

The daily life of a cardinal during the time of election is somewhat as follows: At 6 in the morning an official wakes the cardinals, who assemble before the altar provided and hear mass, after which a ballot is taken and if there is no result they retire for breakfast. In discussion, possibly electrolensing, exercise and other ways, they pass the time until 2 o'clock in the afternoon, when another ballot is taken, and if without result they dine and pass the afternoon as best they can, all retiring at dark to await the next day's events.

The election of Pope Leo was effected in three ballots. According to an article in the St. James' Gazette, on Feb. 18, 1878, the Sacred college was assembled, and the signal "extra omnes" was sounded. The Vatican having been thoroughly searched and the isolation found complete, the cardinals took up their places in their stalls. Each cardinal's stall was surmounted by a canopy to be removed the moment the new Pope's name was announced. One by one the cardinals' names were called, and each cardinal, on hearing it, approached the altar, knelt, rose again, and holding his voting paper above his head, said: "I call upon Christ, our Lord, who shall judge me, to witness that I vote for him whom I believe before God ought to be chosen, and that I shall do the same at the necessary ballot." When all the cardinals had placed their papers in the chalice, it was found that no pope had been elected. Twenty-three papers bore the name of Cardinal Pecci, and the number was too low. In the second ballot, on the evening of the next day, Cardinal Pecci had twenty-six votes, and at the third time of voting, he received forty-four votes. By four votes he had been elected. The canopies were then taken down from above the cardinals' stalls—all but Cardinal Pecci's, and the sub-deacon prostrated himself before the chosen cardinal. "Dost thou accept thy due and regular election to the sovereign pontificate?" he asked, and Cardinal Pecci replied: "Such being God's will, I cannot refuse it." Asked under which name he would be known, he answered: "As Leo the Thirteenth, in remembrance of Leo the Twelfth, whom I have always venerated." In a dressing room opening from the chapel hung white vestments of all sizes, and here the cardinals clad the new pope in spotless white-dressed and badly conscious, a graphic writer says: "At a quarter past one the name of the new pope was announced from a balcony, St. Peter's. 'I announce to

you," shouted Cardinal Ciceroni, "great joy. We have as Pope the Most Eminent and Most Reverend Vincent Joseph Pecci, Cardinal of the Holy Roman Church, who has taken the name of Leo the Thirteenth."

The rules followed in this remarkable election are substantially those adopted at the council of Lyons, in 1274. The idea is to guard the voters against outside influences, as well as to secure a reasonably speedy election, without undue haste.

Since the pope emphatically claims to be the vicar of Christ, the viceregent of God on earth, it is pertinent to make the remark that the mode of his appointment is very different from the manner in which prophets and Apostles in ancient times were appointed. Paul, in his letter to the Hebrews, states the principle that is universal in the kingdom of God. Speaking about the High Priesthood, he says: "And no man taketh this honor unto himself but he that is called of God, as was Aaron." From this rule Christ Himself was not excepted, for the same Apostle states: "So also Christ glorified not himself." He who said to Him: "Thou art my son," also said: "Thou art a priest forever," etc. Here was a divine appointment. Moses was called directly by the Almighty; so was Aaron; and Samuel; and Isaiah and the other prophets; and John the Baptist; and Peter, James, John, and the Apostles; even Paul had a direct call to his position. The principle of a divine call, such as that given to Aaron, does not seem to predominate in the rules of election at Rome.

The nearest New Testament pattern—and that is by no means faithfully copied—is the election of Matthias to fill the vacancy caused by the tragedy of Judas. But that election was held, before the pouring out of the Holy Ghost on the Eleven at the day of Pentecost. At the suggestion of Peter two names were presented as candidates, Barnabas and Matthias. Then prayer was held and "they gave forth their lots, and the lot fell upon Matthias; and he was numbered with the eleven Apostles." Grotius thinks that the procedure here was this, that in one urn was placed two rolls of paper with the name of a candidate on each. In another urn was also placed two rolls, one blank and one containing the word "Apostle." One roll was drawn from each urn simultaneously. Clarke believes the selection was by ballot. The absence in the Biblical narrative of any statement to the effect that the Lord had commanded that election, is very significant. "The lot fell upon Matthias," we are told, when we might have expected: "The Lord chose." The papal election, as has been said, is somewhat similar to the pre-Pentecostal proceeding. Has the world, then, no right to expect a "viceregent of God" to be appointed "as was Aaron"? In fact, can the world legitimately be asked to accept any other kind of appointment to such a place? These are important questions.

THE CHARM OF MUSIC.

According to eastern papers, the remarkable discovery has been made, that a certain musical note played fortissimo will paralyze mosquitoes. The claim is made that when the note is sounded, the insects are drawn toward the spot whence it emanates. Hence, by arranging a paper screen or other receptacle in the immediate vicinity of the musical instrument, all the mosquitoes in a room or house, and, in fact, all of these insects within the radius of the undiminished sound wave, may be caught and destroyed. An electrician has already, we are told, invented a screen charged with sufficient voltage to electrocute the insects as they are thus precipitated.

LEO'S LAST PRAYER.

At this time, what has been called the pope's last prayer may be read again with interest. On the 1st of March, this year, his holiness gave an audience in his library to forty-two cardinals. At the time he spoke about his advanced age and approaching departure. He also presented each cardinal a richly bound pamphlet containing a review of his pontificate, a poem composed by himself, and five of his encyclicals.

The poem was quite generally supposed to have been composed for that occasion, but this is said to be an error. It was written and published in 1897, and was one of several compositions gathered into a little volume by the pope himself. The translation of the lines, made by The Independent, is as follows:

Leo! now sets thy sun; pale in its dying ray;
Black night succeeds thy day,
Black night for thee; wasted thy frame;
Life's flood sustains thee;
No more thy stricken veins,
Death casts his fatal dart; robbed for the grave thy bones.Leo! now sets thy sun; pale in its dying ray;
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OUR IMMIGRATION.

The total immigration for the twelve months ending June 30, is estimated at about 1,000,000, which is the highest number for any year on record. The figure for 1892 was 789,000. It is said that about 25 per cent of the new arrivals are illiterate. This is deplorable, but as long as that is the worst that can be said of them, there need be no alarm. The reclamation of the waste places of the continent is not done by scholarship anyhow. On the other hand, these immigrants have added, at the very low estimate, \$10,000,000 in cash to the money supply of the country, besides the muscle and brain they furnished for the vast industrial machinery of the nation. There are many kinds of employment in this country for which the native American cares very little, but which must be done. Many immigrants of both sexes gladly take this kind of work, which but for them would be left undone, or be performed at prohibitive prices. The country cannot yet get along well without desirable immigration. When the time comes that immigrants are not needed, they will not come. Immigration, too, follows the laws of supply and demand.

NOT GOOD HUSBANDS.

Mrs. Daniel T. Campbell declares that very rich men do not make good husbands. She has had some experience in this line, for she has just secured a divorce from a millionaire. Possibly her statement is too general, but she claims to reason not only from her personal experience, but also from her observations. Concerning rich husbands she

says, as quoted in the Chicago Record-Herald:

"By experience and observation, I have learned that they acquire violent habits along with their wealth until they believe themselves superior to the cares and responsibilities of ordinary people. My eyes were opened on the honeymoon trip when he threw a solid silver powder box at me because I was too ill to accompany him on a carriage ride. He became intoxicated each time I stood in the pouring rain while he inquired the way to a saloon. He made fun of me because I went to church. On one occasion he threw so many pieces of china, wedding presents at me that he got tired and yawned. He ridiculed me because I would not smoke cigarettes."

Girls ought to be warned by this experience. But possibly many of them think so much of the money, that they are willing to take chances as targets for solid silver boxes and expensive china. A great many cheerfully risk life and limb, even the soul, in the pursuit of riches. But one thing is certain. Life in luxury is not always enviable. Happiness does not always go with it.

NO MORE HYDROPHOBIA.

Hydrophobia is, in nearly all cases, superstition. That is a broad, and startling statement made on the authority of Dr. Charles W. Dulles, of Philadelphia, if he is correctly quoted. He is made to say:

"No persons are so indifferent to dogs as the keepers of kennels, who are frequently bitten. The actual frequency of so-called hydrophobia is such that the danger to life does not compare with that of measles or tetanus, while there are more deaths caused each year in this country by scratches of pins, by bites and stings of small insects, by cuts made by trimming corns or by the irritation of insect eruptions of the skin than by all the dog bites."

In further proof of the allegation that hydrophobia is mostly a disease of the imagination, it is stated that the Society for the Prevention of Cruelty to Animals, of Hudson county, New Jersey, had twenty dog wardens, handling all kinds of dogs, and that not one of these ever saw a canine with hydrophobia. One of these claims to have handled, in seven years, nearly 10,000 dogs, always catching eyes the most vicious with bare hands and without the aid of gloves, nets or other accessories. He was bitten or scratched over 300 times and bears eighty marks from these mutilations—bitten by alleged mad dogs many times in some instances where they frothed at the mouth. He never saw a wild dog, we are told, but handled many said to be vicious or to have fits, distemper or other disorders. He gives as the reason for escaping blood poison that the wounds were always thoroughly cleaned and cauterized, just as any wounds should be. This man says he stands ready to be bitten by any supposed mad dog.

It would be well for the public, if some other very much dreaded diseases could be reduced to "superstition." And then the cure could be applied to that ailment, which is not necessarily fatal.

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on the grand jury, east and present, shakes out a very strong and pertinent claim of "I told you so." It is a paper that has the courage of its convictions and very often "strikes it right."

In his last hours Leo takes down Horace and reads "Ara Poetica." When death invaded the home of Matthew Arnold he sought consolation for his great grief in the "Thoughts" of Marcus Aurelius.

Among the notable cottagers at Montauk Point, L. I., this summer will be Sir A. Conan Doyle, the famous author who created "Sherlock Holmes." It might be as well to put him on the secret service force at Oyster Bay.

The Chicago Tribune has been making a religious census of the governors. Maine has a Quaker governor, Utah has a Mormon governor. Two of the governors (Rhode Island's and Wisconsin's) are Unitarians. Pennsylvania is one of the four Episcopals. Six of the governors are Baptists, seven are Presbyterians, eight are Methodists. Twelve governors are not church members.

Clement S. Kinney of the Salt Lake bar has compiled and published an Index-Digest of the Reports of the Supreme Court of Utah Vols. 1-25. In addition to these the book contains a register of Utah cases noticed in the Pacific Reporter up to and including Vol. 29, all the Utah cases appealed to the Supreme Court of the United States, with annotations of all the cases mentioned and a complete index. The volume is of 640 pages, clearly printed, well bound in calf, and will prove of great service to the judicial and legal fraternity, and also to the public press. It is published by the author, in this city.

The miners at the Winter Quarters and Schofield mines have done a magnificent thing in raising a handsome sum for the sufferers from the disaster at Hanna, Wyoming. They, too, in their time have suffered from a like calamity and they have taken a most tangible and Christianlike way of showing their sympathy. It cannot fail to touch the hearts of those who benefit from their generosity. To the committee, C. H. Muhlenstein, Andrew Gilbert, Asa Wilson, J. H. Eccles Jr., William Diston and John L. Price, and each and every subscriber to the relief fund, the people of Hanna will feel grateful and the people of Utah feel proud of them. Their names will be found elsewhere in this issue.

Oh! I like to hear them jingle
With their blithe and laughing tangle,
As the words they intermingle
Into rhyme.
With their jolly jocular rhyming,
Like merry bells a-chiming,
Entangled and enmeshing
Into time.
With a gay and sprightly caper,
They skip across the paper,
Like merry bells a-chiming,
In a rage.
Their dainty graceful dancing
Is truly quite entrancing
As they lightly go a-prancing
'Cross the page.
With their supple airs and graces,
With their bubbling mirth and antics,
They all their thrills are dancing
To the time.
They trip it off quite lightly,
They skip along so sprightly,
As to all they bow politely
In their rhyme.

ON RELIGIOUS TOPICS.

Chicago News.

Throughout the world the reports from the Vatican will be watched with deep anxiety and the hope that Pope Leo's wonderful career may not yet come to a close. It is a career crowned with important and useful works and of the highest religious, scientific, diplomatic and political life of contemporary times. The pope's intellectual grasp, breadth and accuracy even during the recent months of affliction and suffering, promise that if life can be sustained during the present crisis his career of beneficent activity may be protracted for a considerable time. The entire world will hope that this may be the case.

KANSAS CITY.

While Leo has been a most vital factor in the affairs of the world, his interests have all centered in eternal things. His great work has all borne directly on the life which is to come. It must be that for many years he has looked upon the world beyond the grave as through an open door. Consecrated wholly to the cause of God and of Christ in the world, living free in thought and action from all earthly taint and refined by habit and by the chastening influences of age from everything gross or carnal, death could be nothing to Leo but a call to the place where he has laid up his treasures and upon which his hopes and affections have been fixed during the greater part of a long and saintly life.

WORCESTER, Sp.

To meet the religious wants of human kind new forms of religion come to light. Why should the new be better than the old sects? Why, on the other hand, should it not? Certain forms of religion are outgrown through the vital religious beliefs and the moral force may abide. For some men the old forms command respect, for others the new. Christian Science is but one of many new forms of Christianity. They all command our respect. The Spirit trusts that the American people will continue to respect all forms of religious faith, to be tolerant. Bigotry, thank God, has never been strong in our day and generation.

NEW YORK MAIL AND EXPRESS.

The "church merger" agreed upon at Pittsburgh this week—the plan of union of the Congregational, Methodist, Protestant and United Brethren churches—is a relatively small affair, but it is important for the suggestion which it contains. It says plainly to other denominations which group themselves naturally along a common doctrinal line and under similar policies, "Do ye and do likewise." It truly presents, as in terms it purports to do, some realization of that union of believers which is so desirable among churches, and points the way to closer fellowship among the Christian bodies.

BURLINGTON HAWKEYE.

There are other things that have come into your lives that all your efforts were futile to prevent which have brought with them untold sorrow. Could you have gone through them with a happy, peaceful mind because you knew you were in no way responsible for them? If those who teach wisdom were more careful to study human nature as it is and not as they believe it but see its human weakness and acknowledging its limitations,

TRUTH FOR JULY 11, IN ITS COMMENTS

Dr. Wiley says people should eat more bread and butter. Some of them insist that the bread shall be battered on both sides.

The situation in Bulgaria is getting very grave. If not very wise and cautious the situation may lead Ferdinand to his grave.

He who knows all the medical terms used in describing the Pop's condition should be able to pass a very creditable examination for a license as a physician.

Du Chailu, the greatest of African explorers, who died recently, left an estate of less than five hundred dollars. In addition he left an enduring fame and a loved memory.

"Truth" for July 11, in its comments

RUB-A-DUB-DUB

RUB-A-DUB-DUB!
Three men in a tub,
And who do you think they can be?
The butcher, the baker,
The candlestick-maker;
Turn 'em out knaves all three!

And they surely are knaves if they permit their better-halves to use the old "tub and wash board" method when we are selling

VANDERGRIFF WASHERS

AT ONLY **\$7.50** EACH

It's a shame for a woman to WASTE her time and strength at the wash-board when this great modern invention can be had for so little money.

And—Washerwomen! just consider that with a "Vandergriff" you

Can do practically three times as much washing in the same amount of time as by the old method

and at the close of day you won't be nearly as tired. You more than save the cost in one week.

We have cheaper washers that are good, but we recommend the "Vandergriff" at \$7.50. It's a pleasure to show our goods. Washers are in the Grocery Department.

Z. C. M. I.

UTAH'S GREATEST DEPARTMENT STORE

WALKER'S STORE,

Saturday Night Specials

6 UNTIL 9 O'CLOCK.

MEN'S UNDERWEAR AT HALF PRICES.

Fifty Suits in this first lot to make a three hours' sale—6 o'clock until closing time. Fancy striped mesh shirts and drawers, all sizes, well made, perfectly finished throughout; grade that sells regularly at \$1.25 a garment. Saturday night, 63c a garment.

Men's elastic ribbed shirts and drawers, excellent grade; sold at \$1 per garment. Saturday night—50c.

MEN'S 35c to 75c HALF HOSE—20c A PAIR.

Several lines that have gone into the broken assortment condition—lisle thread and cotton in fancy striped, plain and embroidered styles, all sizes in something. Formerly 35c up to 75c a pair. Saturday night to finish up the lot—20c a pair.

MEN'S LEATHER BELTS—HALF PRICE.

All Men's Belts—black, tan and gray, 80c, 75c, \$1 and \$1.25 regular—HALF THESE PRICES.

MEN'S 50c TIES—15c.

Foulard string ties in black and white, navy blue and white figures and dots; formerly 50c each—Saturday night clearance—choice—15c.

WOMEN'S ASCOT TIES—HALF PRICE.

Entire stock of pique Ascot ties for women in this Saturday night sale. Some are all white, others white with color; the 25c each go at—15c; the 60c at—30c; the \$1.25 at—68c.

35c BOX COMPLEXION POWDER—23c.

The excellent Java Rice powder, white, flesh and natural tints, Saturday night, 6 o'clock until closing time—23c a box.

30c BOX STATIONERY—15c.

Huribut's Fairfax vellum, Girard Wove and Putnam Bond, white and tints. Saturday night, 6 o'clock until closing time, instead of 30c a box—15c.

CHILDREN'S 25c STOCKINGS—15c A PAIR.

Children's black silk lisle stockings, fully worn the regular price, fine weave, dressy looking, all sizes from 5 to 12, sold at 25c a pair. Saturday night, 6 o'clock until closing time, choice—15c a pair.

BOYS' 35c WAISTS—19c.

Several dozens of blouses and Mother's Friend waists. Made of good percale and in fair assortment of colorings. Broken lines of 4 to 12-year sizes. Regular 35c each waists to be quickly cleared away tonight, between 6 o'clock and closing time, at—19c.

BOYS' 25c AND 35c CAPS—19c.

Caps and a few Tam-o-Shanters, made of linsens and crash, in blue or red stripes and tans; caps have patent leather, linen covered visors; regular 25 and 35c. 6 o'clock until closing time—19c.

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